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HOUSE BILL 3393 By
Ferguson

SENATE BILL 3398
By Davis L

AN ACT to enact the "Roane County Uniform Nepotism Policy Act".

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. This act shall be known and may be cited as the "Roane County Uniform Nepotism Policy Act."

SECTION 2. As used in this act, unless the context otherwise requires:

(1) "Governmental entity" means Roane County or any agency, authority, board, commission, department, or office of Roane County or an office of an elected county official.

(2) "Relative" means a parent, foster parent, parent-in-law, child, spouse, brother, foster brother, sister, foster sister, grandparent, grandchild, son-in-law, brother-in-law, daughter-in-law, sister-in-law, or other family member who resides in the same household; and

(3) "County employee" means any person who is employed or appointed by a governmental entity.

(4) "Employer" means the governmental entity that appoints or employs the county employee.

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SECTION 3. Within each governmental entity, no county employees who are relatives shall be placed within the same direct line of supervision whereby one (1) relative is responsible for supervising the job performance or work activities of another relative; provided, that to the extent possible, the provisions of this act shall not be construed to prohibit two (2) or more such relatives from working within the same county governmental entity.

SECTION 4. When as a result of a marriage, county employees are in violation of the prohibition established by Section 3, such violation shall be resolved by means of such transfer within the governmental entity, transfer to another governmental entity, or resignation as may be necessary to remove such violation. The employer shall advise the county employee of each of the alternatives available to remove such violation. Such employees shall be given the opportunity to select among such available alternatives. If such employees are unable to agree upon any such alternative within sixty (60) days, then the employer shall take appropriate action to remove such violation.

SECTION 5. The prohibition established by Section 3 shall not be applied retroactively, but shall be adhered to by each employer in all appointing, hiring and employee transactions subsequent to this act being approved as provided in Section 7.

SECTION 6. The provisions of this act shall be applied uniformly and shall constitute the nepotism policy of each governmental entity. No such governmental entity shall adopt a nepotism policy which conflicts with the provisions of this act.

SECTION 7. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Roane County prior to December 1, 1998. Its approval or nonapproval shall be proclaimed by the presiding officer of and certified to the secretary of state.

SECTION 8. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 7.